

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES,

3:11-cv-00227-HU

Plaintiff,

ORDER

v.

TUG SUNDIAL et al,

Defendants.

Eric Kaufman-Cohen
R. Michael Underhill
U.S. DEPARTMENT OF JUSTICE,
Torts Branch of Civil Division
450 Golden Gate Ave., Suite 7-5395
San Francisco, CA 94102

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HERNANDEZ, District Judge:

Magistrate Judge Dennis J. Hubel issued a Findings and Recommendation (doc. #122) on February 15, 2013, recommending that the United States' Motion for Summary Judgment (doc. #89) be granted in part and denied in part.

The United States filed timely objections to the Magistrate Judge's Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure.

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered the United States' objections and conclude that these objections do not provide a basis to modify the Findings and Recommendation. I have also reviewed the pertinent portions of the record de novo and find no error in the Magistrate Judge's Findings and Recommendation.

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CONCLUSION

The Court ADOPTS the Magistrate Judge's Findings and Recommendation (doc. #122). Accordingly, the United States' Motion for Summary Judgment (doc. #89) is GRANTED in part and DENIED in part.

IT IS SO ORDERED.

DATED this 12 day of April, 2013.


MARCO A. HERNANDEZ
United States District Judge